IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.59046-M of 2006

DATE OF DECISION:18.12.2006

Surinder Singh & Ors. .....Petitioners

Versus

Puran Chand & Anr. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Devinder Bir Singh, Advocate
for the petitioners.

Shri Vinod K. Verma, Advocate
for respondent No.1.

Shri Pawan Sharma, Advocate
for U.T., Chandigarh.

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The Petitioners, apprehending their arrest in a complaint case titled as Puran Chand Vs. Surinder Singh & Ors. dated 29.5.2000 under Section 3 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that earlier complaint was filed by the complainant under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and in the said complaint, petitioners were granted regular bail and they were regularly appearing. Subsequently, when the matter was pending before the Special Judge, the same was withdrawn by the complainant because it was straight away entertained by the Special Judge without any commitment order.

Thereafter, the instant complaint has been filed.

Counsel for the petitioners further contends that in view of the order dated 25.9.2006, the petitioners have appeared before the trial Court on 25.10.2006 (copy of the order has been placed on record) and have furnished their regular bail bonds, which have been accepted and attested and since then they are regularly appearing before the trial Court.

In view of the above, the interim bail, granted vide order dated 25.9.2006 is made absolute.

Disposed of accordingly.

December 18, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**